

STATE OF ILLINOIS  
SECRETARY OF STATE  
SECURITIES DEPARTMENT

IN THE MATTER OF: GROUPE 369 CORP., Its Officers,  
Directors, Employees, Partners, Successors, Agents and Assigns,  
and David Alan Kastner and Donald James individually.

File No. 0900370

TEMPORARY ORDER OF PROHIBITION

TO THE RESPONDENTS:

Group 369 Corp.  
2021 Midwest Road, Suite 200  
Oak Brook, Illinois 60523

Group 369 Corp.  
c/o Jeffrey Howard Flicker, R.A.  
130 South Jefferson Street, Suite 500  
Chicago, Illinois 60661

David Alan Kastner  
c/o Group 369 Corp.  
2021 Midwest Road, Suite 200  
Oak Brook, Illinois 60523

Donald James  
c/o Group 369 Corp.  
2021 Midwest Road, Suite 200  
Oak Brook, Illinois 60523

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, who has been fully advised in the premises by the staff of the Securities Department, Office of the Secretary of State, herein find:

1. That Respondent Groupe 369 Corp., ("369"), has its principal address at 2021 Midwest Road, Suite 200, Oak Brook, Illinois 60523.
2. That Respondent David Alan Kastner, ("Kastner") is the President of 369, and maintains an office at 2021 Midwest Road, Suite 200, Oak Brook, Illinois 60523.

Temporary Order of Prohibition

-2-

3. That Respondent Donald James, ("James") is an employee or agent of 369, and maintains an office at 2021 Midwest Road, Suite 200, Oak Brook, Illinois 60523, (collectively with Respondents 369 and Kastner "Respondents").
4. That during November 2008, Respondents, by and through its Officers, Directors, Partners, Employees, Affiliates, Successors, Agents and Assigns, offered to procure loans via the internet at <http://www.groupe369.com> (the "Ad") which was viewed by at least one Borrower (the "Borrower").
5. That the Borrower responded to the Ad and was then in contact with James, Respondent 369's representative. Borrower filled out an application and James communicated proposals and loan terms culminating in a letter of intent which required Borrower to make an advance good faith deposit in the amount of Twenty-Eight Thousand (\$28,000.00) Dollars. Borrower could then receive a loan amount up to One Million Two-Hundred Thousand (\$1,200,000.00) Dollars.
6. That on November 26, 2008 Borrower remitted the sum of Twenty-Eight Thousand (\$28,000.00) Dollars via bank wire to the Respondents.
7. That Borrower never received a loan or the return of his advance good faith deposit from the Respondents.
8. That the above-referenced Respondents is a loan broker as that term is defined pursuant to Section 15-5.15. of the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.] (the "Act").
9. That Section 15-10 of the Act provides, inter alia, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.
10. That Section 15-85. of the Act provides, inter alia, that it is prohibited under the Act for a loan broker to either directly or indirectly act as a loan broker without registration under the Act unless exempt under the Act.
11. That at all times relevant hereto, Respondents, its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Kastner and James, individually, failed to file an application for registration as a loan broker with the Secretary of State prior to the aforementioned loan offer from the State of Illinois.
12. That by virtue of the foregoing, Respondents its Officers, Directors, Partners Employees, Affiliates, Successors, Agents, Assigns, and Kastner and James, individually, have violated Section 15-10 and/or 15-85(b) of the Act.
13. That Section 15-55(c) of the Act provides, inter alia, that if the Secretary of State shall find that any person has violated any provision of this Act, the Secretary of

Temporary Order of Prohibition

-3-

State may, by written order temporarily prohibit or suspend such person from acting as a loan broker.

14. That Section 15-55(d) of the Act provides, inter alia, that if the Secretary of State shall find any person is acting or has acted as a loan broker as defined in Section 15-5.15 of this Act, without prior thereto or at the time thereof having complied with the registration requirements of the Act, the Secretary of State may by written order prohibit such person from acting as a loan broker in the State.
15. That based upon the foregoing, the Secretary of State deems it necessary, in order to prevent imminent and additional violations of the Act, and to prevent losses to investors as a result of the referenced prior violation of the Act, to enter an order pursuant to the authority granted under Section 15-55(c) and Section 15-55(d) of the Act which prohibits Respondents, its Officers, Directors, Partners, Employees, Affiliates, Successors, Agents, Assigns and Kastner and James, individually, from acting as a loan broker in the State of Illinois.
16. That based upon the credible evidence available to the Secretary of State, the entry of this Temporary Order is in the public interest and is consistent with the purposes of the Act.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 15-55(c) and Section 15-55(d) of the Act, Groupe 369 Corp. its Officers, Directors, Partners, Employees, Affiliates, Successors, Agents and Assigns, and David Alan Kastner and Donald James, individually, are hereby PROHIBITED from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State.

NOTICE is hereby given that the Respondents may request a hearing on this matter by transmitting such request in writing to Securities Director, Illinois Securities Department, 69 West Washington Street, Suite 1220, Chicago, Illinois 60601. Such request must be made within thirty (30) days of the date of entry of this Temporary Order. Upon receipt of a request for hearing, a hearing will be scheduled. Request for hearing will not stop the effectiveness of this Temporary Order and will extend the effectiveness of this Temporary Order for ninety days from the date the hearing request is received by the Department.

Temporary Order of Prohibition

-4-

FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER ENTRY OF THIS TEMPORARY ORDER SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND CONSTITUTES SUFFICIENT BASIS TO MAKE THE TEMPORARY ORDER FINAL.

ENTERED: This 23<sup>rd</sup> day of February, 2010.

  
JESSE WHITE  
Secretary of State  
State of Illinois

Attorney for the Secretary of State:

Samuel F. Freiman  
Illinois Securities Department  
69 West Washington Street, Suite 1220  
Chicago, Illinois 60602  
Telephone: (312) 793-3988